

Mail Stop Interference  
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Filed: May 3, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE  
  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MARK HENRY PAUSCH,  
BRADLEY A. OZENBERGER, JOHN R. HADCOCK,  
LAURA ALICIA PRICE, EILEEN M. KAJKOWSKI,  
DONALD R. KIRSCH, AND DEBORAH T. CHALEFF,  
Junior Party  
(Patent 5,691,188),

v.

DANA M. FOWLKES,  
JIM BROACH, JOHN MANFREDI, CHRISTINE KLEIN,  
ANDREW J. MURPHY, JEREMY PAUL, AND  
JOSHUA TRUEHEART  
Senior Party  
(Application 09/286,166).

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Patent Interference No. 105,462  
(Technology Center 1600)

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Before RICHARD E. SCHAFER, SALLY GARDNER LANE, and SALLY C.  
MEDLEY, Administrative Patent Judges.

LANE, Administrative Patent Judge.

**Judgment-Bd.R. 127**

Pausch requests adverse judgment. (Paper 25).

Upon consideration of the record of the interference and for reasons given, it is

ORDERED that judgment on priority as to Count 1, the sole count of the interference, is entered against junior party MARK HENRY PAUSCH, BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD KIRSCH, and DEBORAH TARDY CHALEFF;

FURTHER ORDERED that junior party MARK HENRY PAUSCH, BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD KIRSCH, and DEBORAH TARDY CHALEFF is not entitled to a patent containing claims 15, 16, 19, 22, and 23 of patent 5,691,188, which claims correspond to Count 1;

FURTHER ORDERED that, if there is a settlement agreement, the parties are directed to 35 USC §135(c) and Bd. R. 205; and

1 FURTHER ORDERED that a copy of this judgment shall be entered  
2 into the administrative records of Pausch patent 5,691,188 and Fowlkes application  
3 09/286,166.

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6  
7 /Richard E. Schafer/ )  
8 RICHARD E. SCHAFER )  
9 Administrative Patent Judge )  
10 )  
11 )  
12 /Sally G. Lane/ ) BOARD OF PATENT  
13 SALLY GARDNER LANE )  
14 Administrative Patent Judge ) APPEALS AND  
15 )  
16 ) INTERFERENCES  
17 /Sally C. Medley/ )  
18 SALLY C. MEDLEY )  
19 Administrative Patent Judge )  
20

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